

REMARKS

By this Amendment, claims 19 and 28 have been amended. Accordingly, claims 19-42 are pending in the present application.

Claims 19, 21, 24-28, 30 and 33-42 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,870,691 to Mindel. Claims 20, 22, 23, 29, 31 and 32 stand rejected under 35 U.S.C. §103(a) as being as being unpatentable over Mindel in view of JP50-42838. Applicant respectfully traverses these rejections.

Among the limitations of independent claim 19 which are neither disclosed nor suggested in the prior art of record, is a diffuser which includes a flow plate "having a wall tapered inwardly in the sound wave emission direction, the wall of the flow plate being positioned outside of an area defined by the cone-shaped sound source and dimensioned so as to allow sound waves emitted from the cone-shaped sound source to pass on both sides of the wall."

Similarly, among the limitations of independent claim 28 which are neither disclosed nor suggested in the prior art of record, is a diffuser which includes a flow plate "having a first opening proximal to the sound source and a second opening distal from the sound source, the first opening being larger than the second opening, the first opening of the flow plate being positioned outside of an area defined by the cone-shaped sound source, and the flow plate being dimensioned so as to allow sound waves emitted from the cone-shaped sound source to pass on both sides of the wall."

The structure defined in independent claims 19 and 28 accelerates the air current in the central portion of the sound source and slows the air current away from the central portion. Since the flow plate is also positioned outside of an area defined by the cone-shaped sound source, the air current passing through the flow plate is selected based on the movements of the diaphragm. This configuration helps in preventing the air current from swirling, which in turn, attenuates unnecessary air current so that accurate sound production can be achieved that is close to that of a spherical wave.

Mindel does not teach or suggest a flow plate as defined in independent claims 19 and 28. The baffles 15 of Mindel have been cited as being an inner flow plate. This, however, is not an accurate classification of this structure. The baffles 15 of Mindel are not used for commutation of a sound wave. Rather, as is commonly understood in the art, baffles are used in speaker cabinets to absorb energy from the pressure created by the speakers thus reducing cabinet resonance. Accordingly, the baffles of Mindel can not be considered a flow plate.

Moreover, the front walls 4 of the Mindel speaker cabinet do not allow sound waves emitted from the sound source to pass on both sides thereof. Accordingly, the structure of the speaker cabinet of Mindel can not realize the benefits of diffuser defined in independent claims 19 and 28.

JP50-42838 does not remedy any of the deficiencies of Mindel. JP50-42838 does not teach or suggest the diffuser defined in independent claims 19 and 28. In addition, JP50-42838 explicitly teaches placing a diffuser 21 *within* an area defined by a cone-shaped sound source. Therefore, JP50-42838 teaches away from the present invention as defined in independent claims 19 and 28. Accordingly, it is respectfully submitted that independent claims 19 and 28 patentably distinguish over the art of record.

Claims 22-27 and 37-39 depend either directly or indirectly from independent claim 19 and include all of the limitations found therein. Claims 29-36 and 40-42 depend either directly or indirectly from independent claim 28 and include all of the limitations found therein. Each of these dependent claims includes additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. In particular, with respect to dependent claims 21, 27, 30 and 36, it is respectfully submitted that none of the references of record teach or suggest the use of a second (or outer) flow plate as defined in these claims. Accordingly, claims 22-27 and 29-42 are likewise patentable.

In view of the foregoing, favorable consideration of the amendments to claims 19 and 28, and allowance of the present application with claims 19-42 is respectfully and earnestly solicited.

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Respectfully submitted,

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